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Attorney Docket No. 5577-277

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Jones et al.

Serial No.: 10/673,752

Filed: September 30, 2003

For: METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR
CREATING USER INTERFACE TO APPLICATIONS USING GENERIC USER
INTERFACE TEMPLATES

Date: January 6, 2004

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCORD THE PROPER FILING DATE

Sir:

As set forth in 37 CFR § 1.10(c) and MPEP § 506.02, Applicants hereby petition to grant the proper filing date of September 29, 2003 rather than September 30, 2003 for the above-identified patent application as this was the date the application was deposited as "Express Mail" in the U.S. Postal Service. The following is enclosed as evidence of September 30, 2003 being the correct filing date for the application, which was properly filed under 37 C.F.R. § 1.10:

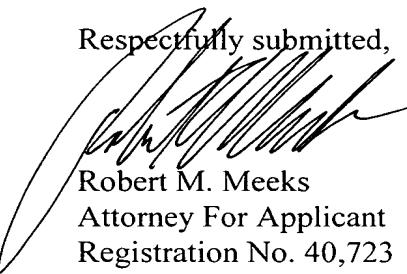
1. A true and accurate copy of the Cover Sheet for the Application showing the Express Mail signature and date on Page 2;
2. A true and accurate copy of the Express Mail Receipt along with a copy of the USPS-Track & Confirm from the web page (www.usps.com) , showing "acceptance" or deposit date with the USPS at 5:31 p.m. on September 29, 2003; and
3. A true and accurate copy of our return post card and of the official filing receipt for this application, sent by the United States Patent and Trademark Office, showing that Applicant was improperly given the filing date of September 30, 2003 instead of the Express Mail date of September 29, 2003.

This petition is being filed promptly after Applicant became aware of the improperly accorded filing date. Accordingly, Applicant respectfully requests the granting of September 29, 2003 as the filing date pursuant to 37 CFR § 1.10.

In re: Jones et al.
Serial No.: 10/673,752
Filed: September 30, 2003
Page 2

On the basis that Applicant properly followed the requirements of 37 CFR § 1.10 and the USPTO failed to accord the proper filing date under MPEP § 505 and thus the need to file this petition is due to error on the part of the USPTO, it is applicant's belief that no fee is due with this petition. However, the Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Robert M. Meeks
Attorney For Applicant
Registration No. 40,723

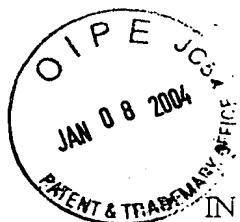
USPTO Customer No. 20792
Myers Bigel Sibley & Sajovec
Post Office Box 37428
Raleigh, North Carolina 27627
Telephone: 919/854-1400
Facsimile: 919/854-1401

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Office of Patent Legal Administration, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 6, 2004.



Candi L. Riggs



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 5577-277
DATE: September 29, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents

P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

a patent application
 a Continuation a Divisional a Continuation-in-Part (CIP) Application of prior application no.: _____; filed _____, the disclosure of which is incorporated herein by reference in its entirety.
 and claims the benefit of Provisional Application No. _____; filed _____.

Inventor(s) or Application Identifier:

Carol Ann Jones – Raleigh, North Carolina
Patrick McGowan – Stoney Creek, North Carolina
Christopher Joseph Paul – Durham, North Carolina
Shankar Ramaswamy – Chapel Hill, North Carolina
Cesar A. Wong – Morrisville, North Carolina

Entitled: **METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR
CREATING USER INTERFACE TO APPLICATIONS USING GENERIC USER
INTERFACE TEMPLATES**

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:

1. Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. 13 pages of Specification (including 20 claims)
3. 5 sheets of Formal Drawings (35 USC 113)
4. Oath or Declaration
 - a. newly executed (*original or copy*)
 - b. copy from prior application (37 CFR 1.63(d)) (*for continuation/divisional*) [Note Box 6 Below]
 - c. DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. Application Data Sheet. See 37 CFR 1.76
6. Incorporation By Reference (*useable if box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under

Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. Microfiche Computer Program (*Appendix*)
8. Assignment papers (*cover sheet(s) and document(s)*)
9. Applicant claims small entity status. See 37 CFR § 1.27.
10. Information Disclosure Statement, PTO-1449, and 1 reference cited
11. Preliminary Amendment (*Please enter all claim amendments prior to calculating the filing fee.*)
12. English Translation Document
13. Certified Copy of Application No. ; Filed
14. Sequence Listing/ Sequence Listing Diskette
 - a. computer readable copy
 - b. paper copy
 - c. statement in support
15. An Associate Power of Attorney
16. Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$375.00	\$ 750.00
TOTAL CLAIMS	20 - 20 =	0	x 09 = \$	x 18 = \$ 0
INDEP CLAIMS	4 3	1	x 42 = \$	x 84 = \$84.00
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 140 = \$	+ 280 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$	Total \$834.00

A check in the amount of \$834.00 to cover the filing fee is enclosed.

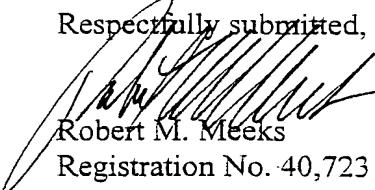
A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).

Please charge my Deposit Account No. 50-0220 in the amount of \$

The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:

- a. Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b. Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

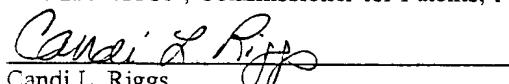

Robert M. Meeks
Registration No. 40,723

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 318420029 US

Date of Deposit: September 29, 2003

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Candi L. Riggs

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- ARRIVAL AT UNIT, September 30, 2003, 8:17 am, DULLES, VA 20102
- ENROUTE, September 29, 2003, 7:44 pm, RALEIGH, NC 27623
- ACCEPTANCE, September 29, 2003, 5:31 pm, RALEIGH, NC 27612

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5577-277

10-09-03 A08:57 16235 U.S. PTO September 29, 2003

10/673752

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No. EV 318420029 US



09/30/03

Sir: Kindly acknowledge receipt of the accompanying by placing your
receiving date stamp hereon and mailing:

**Utility Patent Application Transmittal Letter and Fee Transmittal Form (in
duplicate); Specification (13 pages - ~~20~~ claims); Drawings (5 sheets - Figures 1-5);
Declaration and Power of Attorney; Check in the amount of \$834.00; In re: Jones
et al.; For: METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS
FOR CREATING USER INTERFACE TO APPLICATIONS USING GENERIC
USER INTERFACE TEMPLATES.**

***IDS, PTO-1449
1 Cited Reference**

Respectfully submitted,
MYERS BIGEL SIBLEY & SAJOVEC